



EMPLOYEE BENEFITS PROGRAMS COMMITTEE

Tuesday, May 3, 2022
Roughrider Room, State Capitol
Bismarck, North Dakota

Representative Joshua A. Boschee, Chairman, called the meeting to order at 10:00 a.m.

Members present: Representatives Joshua A. Boschee, Bert Anderson, Claire Cory, Mitch Ostlie, Matthew Ruby, Paul J. Thomas; Senators Brad Bekkedahl, Randy A. Burckhard, Dick Dever, Kristin Roers, Shawn Vedaa*

Members absent: Representative Ron Guggisberg and Senator Tim Mathern

Others present: See [Appendix A](#)

**Attended remotely*

It was moved by Senator Burckhard, seconded by Senator Bekkedahl, and carried on a voice vote that the minutes of the October 27, 2021, meeting be approved as distributed.

Chairman Boschee called on Mr. Scott Anderson, Chief Investment Officer, Retirement and Investment Office, for a presentation ([Appendix B](#)) on the status of State Investment Board (SIB) investments for the Teachers' Fund for Retirement (TFFR), Public Employees Retirement System (PERS), legacy fund, and budget stabilization fund.

Mr. Anderson described the manner in which House Bill No. 1425 (2021), which directs the SIB to make a portion of legacy fund investments in in-state investment opportunities, has impacted the status of the legacy fund.

Chairman Boschee called on Mr. Scott Miller, Executive Director, Public Employees Retirement System, for a presentation ([Appendix C](#)) regarding the status of PERS. Mr. Miller noted he will provide the committee with a list of the PERS benefits legislators are eligible to receive.

Chairman Boschee called on Ms. Jennifer S. N. Clark, Assistant Code Revisor, to provide an update on the activities of the interim Retirement Committee.

The committee considered the following bill drafts to determine whether the bill drafts affect, actuarially or otherwise, the retirement programs of state employees or employees of any political subdivision, or health and retiree health plans of state employees or employees of any political subdivision pursuant to North Dakota Century Code Section 54-35-02.4:

- Bill Draft No. 16 [[23.0016.02000](#)], which exempts certain teachers from contributing to TFFR;
- Bill Draft No. 53 [[23.0053.01000](#)], which provides for changes relating to TFFR benefits and duties of the TFFR Board;
- Bill Draft No. 8 [[23.0008.01000](#)], which expands the Bureau of Criminal Investigation participation in the Public Safety Retirement Plan to include all peace officers employed by the state, except for members of the State Highway Patrol who are covered by the Highway Patrol plan;
- Bill Draft No. 19 [[23.0019.01000](#)], which provides a state income tax deduction for retired law enforcement personnel benefits;
- Bill Draft No. 34 [[23.0034.02000](#)], which narrows the scope of duties of the Employee Benefits Programs Committee;
- Bill Draft No. 45 [[23.0045.01000](#)], which revises the membership of the PERS Board and expands the role of the Legislative Assembly related to PERS health insurance benefits contracts;

- Bill Draft No. 54 [[23.0054.01000](#)], which provides for a change in the computation of final average salary for PERS retirement benefits;
- Bill Draft No. 71 [[23.0071.01000](#)], which provides for clerks of court to be state judicial employees; and
- Bill Draft No. 77 [[23.0077.01000](#)], which revises the retirement benefits for peace officers employed by the Bureau of Criminal Investigation.

Chairman Boschee noted Bill Draft Nos. 71 and 77 were submitted to Legislative Council after the April 1, 2022, submission deadline set by the committee.

It was moved by Senator Burckhard, seconded by Representative Ruby, and carried on a voice vote to accept Bill Draft Nos. 71 and 77 for consideration by the committee.

It was moved by Senator Roers, seconded by Senator Burckhard, and carried on a roll call vote that the committee take jurisdiction over Bill Draft Nos. 16, 53, 8, 34, 45, 54, 71, and 77. Representatives Boschee, Anderson, Cory, Ostlie, Ruby, and Thomas and Senators Bekkedahl, Burckhard, Dever, Roers, and Vedaa voted "aye." No negative votes were cast.

It was moved by Senator Roers, seconded by Representative Ruby, and carried on a roll call vote that the committee not take jurisdiction over Bill Draft No. 19. Representatives Boschee, Anderson, Cory, Ostlie, Ruby, and Thomas and Senators Bekkedahl, Burckhard, Dever, Roers, and Vedaa voted "aye." No negative votes were cast.

Chairman Boschee noted the committee likely will schedule a meeting in late June to receive the actuarial reports and a meeting in October to receive valuations of the TFFR and PERS funds.

No further business appearing, Chairman Boschee adjourned the meeting at 12:05 p.m.

Jennifer S. N. Clark
Senior Counsel and Assistant Code Revisor

ATTACH:3